

Applicant : Auch et al.
Serial No. : 09/989,362
Filed : November 20, 2001
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Attorney's Docket No.: 12406-060US1/P2002,0611 US
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REMARKS

In reply to the Office Action of May 18, 2005, Applicant submits the following remarks. Claims 1, 4, 8 and 56 have been amended. The applicants note that claims 17-23 and 27-55 were canceled in an office action response filed on October 31, 2002. Applicants respectfully request reconsideration in view of the foregoing amendments and these remarks.

Allowable and Objected to Claims

Claims 8-11, 12/8-12/11 and 13/8-13/11 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 56-58 were allowed.

Claim 8 has been amended to be in independent form. The applicant therefore believes that claims 8-11, 12/8-12/11 and 13/8-13/11 are now in condition for allowance.

The Applicants thank the Examiner for finding the above-mentioned claims allowable or merely objected to.

Comments on Statement of Reasons for Allowance

The applicants note that reasons in addition to those provided by the Examiner may exist that make the claims allowable.

Section 102 Rejections

Claims 1, 2, 12/1, 13/1, 14(12/1), and 24 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Number 5,552,913 ("Shimizu"). While the office action states that the claims are "anticipated by Shimizu et al. (US 5,552,914)", the applicant clarified in a phone call to the Examiner that the correct patent number is 5,552,913. The applicant respectfully disagrees with the rejection.

Amended claim 1 is directed to an organic light emitting device having an active component on a surface of a substrate, wherein the active component includes an organic light emitting diode.

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Shimizu describes liquid crystal devices having liquid crystal material (abstract). Shimizu does not suggest or disclose a device having an active component that includes an organic light emitting diode. For at least this reason, the applicants submit that claim 1 is not anticipated. Claims 2-7, 12/1-7, 13/1-7, 14(12/1-7), and 24(13/1-7) depend from claim 1 and are similarly not anticipated.

Section 103 Rejections

Claims 15, 16, 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shimizu. The applicants respectfully disagree.

Each of claims 15, 16, 25 and 26 depend from amended claim 1 or 8. For the claims that depend from claim 1, the Examiner has provided no motivation for applying the teachings of Shimizu to a device having an active component that includes an organic light emitting diode.

For the claims that depend from claims 8, the applicants submit that these claims depend from an allowable independent claim. Further, Shimizu teaches away from spacer particles that are coated with a layer of adhesive, as required by claim 8. Shimizu notes that using an adhesive with spacers in a liquid crystal device is problematic, because adhesives limit the type of solvents that can be used to scatter spacers and tend to cause orientation disorder in a liquid crystal material (col. 2, lines 21-27).

For at least these reasons, the applicants submit that no *prima facie* case of obviousness has been made with respect to claims 15, 16, 25 and 26.

Remaining Claims

The applicants note that any claim combinations that have not been addressed specifically by the office action or this response are dependent claims which depend from claims which are neither anticipated nor obvious over Shimizu.

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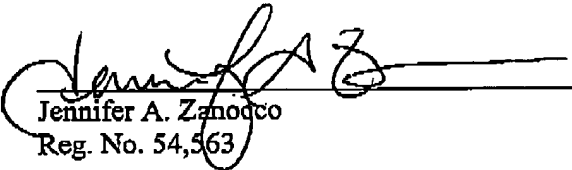
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Respectfully submitted,

Date:

Aug 18, 2005


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